

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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Matthew Chavez,

Plaintiff,

vs.

Valley Health System *doing business as* UHS of  
Delaware, Inc.,

Defendants.

2:23-cv-00521-MMD-EJY

**ORDER REGARDING EARLY NEUTRAL  
EVALUATION**

At 10:00 AM, on Thursday, August 3, 2023, I convened an early neutral evaluation video conference, pursuant to my June 30, 2023, order. ECF No. 16. Wayne Cassard, defendant's market director for human resources, Shana Fonnesbeck, Esq. defendant's associate general counsel, and Wendy M. Krincek, Esq. defendant's counsel of record appeared on time as ordered. Plaintiff's counsel of record, Jenny L. Foley, Esq. appeared on time as ordered.

Those in attendance discussed this case until 10:28 AM, in anticipation that plaintiff would join. Plaintiff's counsel reported that plaintiff knew his attendance was required and that she had made and continued to make every effort to contact him and inform him he must join the conference. Plaintiff failed to join the conference.

Defendant's counsel told plaintiff's counsel that defendant would be filing a motion for sanctions on several grounds, including: (1) plaintiff forcing defendant to file a motion to compel arbitration when there are no reasonable arguments against arbitrating plaintiff's claims; (2) plaintiff not serving initial disclosures as required by ECF No. 16; and (3) plaintiff failing to attend the ENE conference.

1 Counsel of record agreed that defendant would delay drafting and filing the sanctions motion  
2 until Tuesday, August 8, 2023. This would give counsel of record until close of business on Monday,  
3 August 7, 2023, to file a stipulated dismissal with prejudice with each side bearing their own costs and  
4 attorney fees.

5 Accordingly,

6 I ORDER that defendant's counsel of record to delay filing its motion for sanctions until after  
7 5:00 PM on Monday, August 7, 2023.

8 IT IS ORDERED.

9 DATED this 3rd day of August 2023.

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11 CAM FERENBACH  
12 UNITED STATES MAGISTRATE JUDGE  
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